ANNEXURE 'C'

THE MYSORE INAMS ABOLITION LAWS (AMENDMENT) BILL, 1973.

(L. A. BILL No. 12 OF 1973)

A Bill further to amend the Mysore (Personal and Misceellaneous) Inams Abolition Act, 1954 and the Mysore (Religious and Charitable) Inams Abolition Act, 1955.

Whereas it is expedient further to amend the Mysore (Personal and Miscellaneous) Inams Abolition Act, 1954 (Mysore Act I of 1955) and the Mysore (Religious and Charitable) Inams Abolition Act, 1955 (Mysore Act 18 of 1955);

Be it enacted by the Mysore State Legislature in the Twenty-fourth Year of the Republic of India as follows :—

1. Short Title.—This Act may be called the Mysore Inams Abolition Laws (Amendment) Act, 1973.

2. Amendment of Mysore Act 1 of 1955.—In section 10 of the Mysore (Personal and Miscellaneous) Inams Abolition Act, 1954 (Mysore Act 1 of 1955), for sub-clauses (i) and (ii) of clause (a) of sub-section (3), the following clauses shall be substituted, namely :—

" (i) in respect of lands in inams which have vested in the State before the date of commencemnt of the Mysore Inams Abolition (Amendment) Act, 1973, within one year from the date of commencement of the said Amendment Act; and

(ii) in respect of lands in inams which vest in the State on or after the date of commencement of the Mysore Inams Abolition Laws (Amendment) Act, 1973 within one year from the date of vesting of the inam concerned."

3. Amendment of Mysore Act 18 of 1955.—In the Mysore (Religious and Charitable) Inams Abolition Act, 1955 (Mysore Act 18 of 1955),—

(1) in section 6, the proviso shall be omitted ;

(2) after section 6, the following section shall be inserted, namely :—

"6A. Pujari, Archak, etc., to be registered as occupant on certain conditions.—(1) Where the inamdar is an institution of religious worship, a person—

(i) rendering religious service in or maintaining the institution as a pujari, archak or the holder of a similar office by whatever name called ; or

(ii) rendering any service in such institution, and personally cultivating for a continuous period of not less than three years prior to the date of vesting by contributing his own physical labour or that of the members of his family and enjoying the benefits of any land comprising the inam of such institution without paying rent as such in money or kind to that institution in respect of such land, shall, with effect from and on the date of vesting and subject to the provisions of section 27A be entitled to be registered as an occupant of such land.

(2) In addition to the annual land revenue payable in respect of the land, a person entitled to be registered as occupant of any land under sub-section (1) shall be liable to pay to the State Government as premium for ownership of that land an amount equal to one hundred times the land revenue of such land. The amount of premium shall be payable in not more than ten annual instalments along with the annual land revenue and in default of such payment the amount due shall be recovered as arrears of land revenue due on the land in respect of which it is payable " ;

(3) in section 7, in clause (ii) of sub-section (1), for the brackets, figure and word " (5) or ", the brackets, figures, letter and word " (5), 6A or " shall be substituted ;

(4) in section 8, in clause (ii) of sub-section (1), for the figures and word " 4 or 5 ", the figures, word and letter " 4, 5 or 6A " shall be substituted ;

(5) in section 9,—

(i) in sub-section (1), for the words and figures "a kadim tenant, a permanent tenant, the holder of a minor inam, or an inamdar claims to be registered as occupant under sections 4, 5, 7 and 8", the words, figures and letter "a person claims to be registered as occupant under sections 4, 5, 6A 7 and 8" shall be substituted;

(ii) in clause (a) of sub-section (2),—

(a) after the figure "5" the figure and letter "6A" shall be instered;

(b) for sub-clauses (i) and (ii), the following sub-clauses shall be substituted, namely:—

"(i) in respect of lands in inams which have vested in the State before the date of commencement of the Mysore Inams Abolition Laws (Amendment) Act, 1973, within one year from the date of commencement of the said Amendment Act; and

(ii) in respect of lands in inams which vest in the State on or after the date of commencement of the Mysore Inams Abolition Laws (Amendment) Act, 1973, within one year from the date of vesting of the inam conceerned.";

(6) in sub-section (1) of section 10,—

(i) the words "whether a kadim tenant, a permanent tenant, the holder of a minor inam or an inamdar" shall be omitted; and

(ii) after the figure "5", the figure and letter "6A", shall be inserted;

(7) in Chapter IV, after section 27, the following section shall be inserted, namely:—

"**27A. Extent of land which a person may be registered as occupant.**—The extent of land in respect of which a person referred to in section 6 or section 6A shall be registered as an occupant shall not together with any land entitled to be held by him exceed such extent as may be prescribed."

STATEMENT OF OBJECTS AND REASONS

By the Mysore Inams Abolition Laws (Amendment) Act, 1969 which came into force from 11th December 1969, all minor inams in unalinated villages and in inam villages coming under the purview of provisions of the Mysore (Personal and Miscellaneous) Inams Abolition Act, 1954 and the Mysore (Religious and charitable) Inam Abolition Act, 1955 have been abolished with effect from 1st July 1970. The said amendment Act, provided that no person shall be entitled to be registered as an occupant unless he makes to the Deputy Commissioner an application—

(a) in respect of lands in inams which have vested in the State before the date of commencement of the said Amendment Act, within such period as may be prescribed; and

(b) in respect of lands in inams which vest in the State on or after the date of commencement of the said. Amendment Act within six years from the date of vesting.

In respect of (a) above the time limit prescribed by rules has expired on 21st February 1971 and in respect of (b) above, the date of vesting is notified as 1st July 1970.

There are representations from several persons affected to extend the period in respect of (a) above.

It is the experience of State Government that there is no end to such representations, if the time is continued to be extended by rules. Further taking into account the long period of six years provided from the date of vesting in respect of (b) above, Government feel that the law should be so amended that there will be no scope for further extension of time by rules for filing applications for registering as an occupant beyond one year from date of commencement of the Mysore Inams Abolition Laws (Amendment) Act, 1973 and that the six years' period from the date of vesting be borught down to one year so that the pace of implementation of the law will be hastended.

It is also considered necessary that pujari, archak, etc., should be registered as occupant of lands in his personal cultivation on payment of a premium equal to hundred times the land revenue.

Hence this Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 3.—Section 27 A sought to be Inserted by sub-clause (7) of this clause empowers the State Government to prescribe by rules of the extent of land which a person may be registered as occupant.

N. HUTCHAMASTHY GOWDA.

Te. HANUMANTHAPPA,
Secretary.